

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jun 27, 2023

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ELVIS CAMILO RENTERIA LOPEZ,

Plaintiff,

v.

UNITED STATES ATTORNEY'S

OFFICE; and BENTON COUNTY

PROSECUTOR'S OFFICE,

Defendants.

No. 4:23-CV-05001-SAB

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Before the Court is U.S. Magistrate Judge James A. Goeke's Report and Recommendation, ECF No. 6. Judge Goeke recommends that Plaintiff's Complaint be dismissed without prejudice, because Plaintiff failed pay the full filing fee or properly complete an Application to Proceed *In Forma Pauperis*. Plaintiff did not respond to the Court's Order Denying Application to Proceed *In Forma Pauperis*, ECF No. 4, or file an objection to the Report and Recommendation.

A district court has jurisdiction to review a magistrate judge's report and recommendation on dispositive matters. Fed. R. Civ. P. 72(b). Under 28 U.S.C. § 636(b)(1) parties may file objections to the magistrate's findings and conclusions. The "statute makes it clear that the district judge must review the magistrate judge's findings and recommendations de novo if objection is made, but not otherwise." *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

ORDER ADOPTING REPORT AND RECOMMENDATION *1

1 No objections were filed, and the Court agrees with Judge Goeke's
2 recommendation. Accordingly, **IT IS HEREBY ORDERED:**

3 1. The Court **ADOPTS** the Report and Recommendation, ECF No. 6, in
4 its entirety.

5 2. The Complaint in the above-captioned matter is **DISMISSED,**
6 **without prejudice.**

7 3. The Clerk of Court is directed to **CLOSE** the file.

8 **IT IS SO ORDERED.** The District Court Executive is hereby directed to
9 enter this Order and provide a copy to *pro se* Plaintiff.

10 **DATED** this 27th day of June 2023.



14
15

A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is written in a cursive, flowing style.

16 Stanley A. Bastian
17 Chief United States District Judge
18
19
20
21
22
23
24
25
26
27
28